



"The City With a Heart"

Larry Franzella, Mayor
Irene O'Connell, Vice Mayor
Ken Ibarra, Councilmember
Rico E. Medina, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

May 27, 2008
7:00 p.m.

1. **CALL TO ORDER: THIS IS TO CERTIFY THAT** The San Bruno City Council met in regular session on May 27, 2008 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the San Bruno Garden Club for the beautiful flower arrangement.

2. **ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Franzella with Vice Mayor O'Connell and Councilmembers Ruane, Medina and Ibarra in attendance. Recording by Clerk Bonner. **Fire Chief Dennis Haag** led the Pledge of Allegiance.

3. **ANNOUNCEMENTS:** **Mayor Franzella** announced the City Council will review the proposed Fiscal Year 2008-09 Budget at Study Sessions to be held June 11th and June 18th at 6:00 p.m. at the San Bruno Senior Center. The Study Sessions are public meetings and any interested person is encouraged to attend.

4. **PRESENTATIONS:** **Angela Addiego, Principal and Dan Little, Vice Principal, Parkside Intermediate**, in appreciation to the City of San Bruno, presented certificates to the Police, Fire, Public Works, Park and Recreation Departments, Council and Sister City Committee.

5. **REVIEW OF AGENDA:** No changes.

6. **APPROVAL OF MINUTES:** Regular Council Meeting of May 13, 2008, approved as submitted.

7. **CONSENT CALENDAR:** All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by a Councilmember, citizen or staff.

a. **Approve:** Payroll of May 16, 2008.

b. **Approve:** Accounts Payable of May 5 and 12, 2008.

c. **Approve:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated April 30, 2008.

d. **Waive:** Second Reading and Adopt An Ordinance Repealing Chapter 10.28 of the San Bruno Municipal Code and Adding a New Chapter 10.28 Regulating Holders of State Video Franchises Pursuant to the Digital Infrastructure and Video Competition Act (DIVCA).

e. **Waive:** Second Reading, and Adopt Ordinance Imposing a 4.52% Rate Increase Requested by San Bruno Garbage Company for 2008-09 to be Effective July 1, 2008 as Presented in the Notice of Proposed Increase Mailed to All Property Owners.

f. **Adopt:** Resolution Temporarily Closing Certain Streets in Connection with the 68th Annual Posy Parade on June 1, 2008 and Authorizing Use of City Park Ball Fields and Police Department Assistance with Traffic Control.

Councilmember Ibarra asked Item 7.f. be pulled.

M/S Medina/Ruane to approve remainder of Consent Calendar and passed with all ayes.

Councilmember Ibarra reminded everyone this Sunday would be the 68th Annual Posy Parade “Peace Around the World” and asked anyone interested to join in.

M/S Ibarra/Medina to approve Item 7.f. and passed with all ayes.

8. PUBLIC HEARINGS:

a. Hold Public Hearing, Waive First Reading, and Introduce Recycling and Diversion of Debris from Construction and Demolition Ordinance, Amending Section 10.23 of the San Bruno Municipal Code to Specify Deposit and Administrative Fee Requirements and Penalties and Enforcement Action.

City Attorney Thompson reviewed the staff report with changes as directed by Council.

Councilmember Ibarra asked if we are satisfied with the \$50,000. threshold? **City Attorney Thompson** said Council has discretion to set a different amount. **Mayor Franzella** said the cap would be reviewed annually.

Mayor Franzella opened the Public Hearing. No one wished to speak.

M/S Ruane/Ibarra to close the Public Hearing and passed with all ayes.

M/S Ibarra/Medina to waive the first reading and passed with all ayes.

Councilmember Ibarra introduced the ordinance for adoption and passed with a unanimous vote.

b. Hold Public Hearing and Adopt Resolution Amending Master Fee Schedule for 2008-09 and Establishing Fees for a Variety of Municipal Services.

Finance Director O’Leary reviewed the staff report and highlighted some of the changes to the Master Fee Schedule.

Mayor Franzella opened the Public Hearing. No one wished to speak.

M/S Medina/Ruane to close the Public Hearing and passed with all ayes.

Councilmember Ruane introduced the resolution for adoption and passed with a unanimous vote.

9. CONDUCT OF BUSINESS:

a. Adopt Resolution of the City Council of the City of San Bruno Opposing the Proposed Spray Program by the California Department of Food and Agriculture (CDFA) and the United States Department of Agriculture (USDA) to Eradicate the Light Brown Apple Moth (LBAM) in California.

City Manager Jackson reviewed the staff report.

David Pegos, Department of Food and Agriculture and **Dr. Robert Levitt** presented a slide presentation on the infestation of the light brown apple moth.

Councilmember Ruane said our City Manager in her presentation said the Governor had asked for more information. He asked if it was forthcoming? **Dr. Levitt** confirmed the Governor had asked for more information and the tests were contracted by the U.S. Department of Agriculture and the reports have been forwarded to the Department of Pesticide Regulations and they are under current study and should be sent to the Governor within the next 30 to 45 days.

Councilmember Ibarra asked why there isn’t a public outcry from the growers? **Dr. Levitt** said certain Central Valley cities are passing resolutions in support of the spraying and he believes the department has gotten on this so quickly the moth population is getting suppressed before it gets

into other areas. He said it takes a while before the public actually sees the damage. **Councilmember Ibarra** said it has not been determined what this spraying will do to our children or us.

Frank Egger, Fairfax, was opposed to the spraying.

Janice Werner, Daly City, spoke of her opposition to the spraying.

Linda Abbey, Adeline Dr., Burlingame, on behalf of herself and her mother, **Lina Rossi, Crestmoor Dr.**, both opposed the spraying.

Sharon Lueehs, Crespi Dr., Pacifica, said she opposed the spraying.

Jennifer Rossi, Crestmoor Dr. was against the spraying.

Mike Deleigh, Pacific Grove shared the adverse results the spraying had on his wife.

Trude Gebin, Seacrest Ct., Daly City, opposed the spraying.

Councilmember Ruane commended staff, the State and the group in opposition. He said there are a variety of unanswered issues that makes it much too dangerous to make a decision until he has more information. He said he supported the resolution.

Councilmember Medina said he did not believe the State has proven their case whether it is necessary, safe or right. He said there were unanswered questions and supported the resolution.

Councilmember Ibarra said he supported the resolution because of the unanswered questions. He thanked the group for coming out and supporting their case.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

b. Adopt Resolution Authorizing the City Manager to Execute a Funding Agreement with the City/County Association of Governments of San Mateo County for \$71,300 from the Green Streets and Parking Lots Grant Project.

Management Analyst Shannon reviewed the staff report and presented slides illustrating the project and asked for questions.

Councilmember Ruane asked if there would be standing water? **Shannon** said it would be surveyed and soil-tested.

Councilmember Ibarra asked if Community Development and Engineering thought about doing things for businesses and residential properties? **Shannon** said it has been talked about. **Engineer Davis** added this is a demonstration project.

Robert Riechel, 7th Ave. asked if this would reduce parking? He also asked what type of run-off would be expected. **Shannon** said regarding the flooding, it would delay how long it takes the water to get to the storm drain. He said it will help filtrate the particulars, which exist there, and it will delay the onset. As to parking, he said there will be a little bit of parking taken away but future plans are to add more parking in that existing traffic area.

Vice Mayor O'Connell asked the educational part be explained. **Shannon** said part of getting these grant funds, the City has to stipulate they will promote this project as a model. He said there would be signage at the site and it is near the school.

Vice Mayor O'Connell reported CGAG is promoting this and she expressed her excitement.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Approving Revised May 2008 Emergency Operations Plan.

Division Chief Devendorf gave an overview of the Emergency Operation Plan.

Councilmember Medina asked if the City's EOC is complete and prepared in case there is a disaster and when will the City see the first tabletop exercise within the EOC with City staff. **Fire Chief Haag** said the EOC is functional. He said there are still some communication upgrades, which need to be done, but in case something happened today, we would be in that room. In response to tabletop exercises, he said plan adoption has to take place first and then sectional training will occur. After the training, tabletop exercises, citywide will begin in preparation for a countywide exercise in October.

Councilmember Ruane introduced the resolution for adoption and passed with a unanimous vote.

d. Adopt Resolution Approving Third Quarter Budget Amendment for the 2007-08 General Fund, Special Revenue Funds, and Enterprise Funds Budget and 2007-08 Capital Improvement Program Budget.

Finance Director O'Leary gave an overview of the Third Quarter Budget Amendments and asked for questions.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

Vice Mayor O'Connell added a reminder there will be budget meetings on June 11 and 18 at the Senior Center. She said there were comments made by a few people when they were working on Measure F that the City Council was not responsible and this was a good opportunity for those folks to give their input.

e. Adopt Resolution Authorizing the City Manager to issue a Construction Contract Change Order to the Rollingwood Sewer Basin Improvements - Phase 2 Contract with Darcy & Harty Construction, Inc. for the Earl Avenue Sewer Replacement Work in the Amount of \$256,040, and Authorizing a Total Construction Budget in the Amount of \$294,500.

Engineer Davis gave an overview of the staff report and asked for questions.

Mayor Franzella asked if there would be additional digging down Earl? **Davis** said the proposal to do pipe bursting which a trenchless replacement. He said excavation would be done to replace the manholes and to reconnect the laterals.

Vice Mayor O'Connell asked if we had a contract to video of all the sewer systems. **Davis** said there is a contract but it will take five years to video the whole City and this section has not been done yet.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

f. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with Partition Specialties, Inc. for the Senior Center Room Partition Replacement Project in the Amount of \$36,904 and Authorizing Construction Budget in the Amount of \$45,000.

Engineer Davis gave an overview of the staff report and asked for questions.

Councilmember Medina confirmed the seniors wanted manual operation for the partitions and asked what type of disruption would be expected. **Davis** said they planned to schedule the work to take place during the dark week in August when Council does not meet with minimal disruption.

Councilmember Ibarra asked if PSI takes care of the restructuring of the beam? Davis said it was included in their price.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

g. Adopt Resolution Authorizing the City Manager to Execute a Contract Amendment with Kennedy/Jenks Consultants for Additional Design Services for the Rollingwood Sewer Basin Improvements Phase 3 Project and the Crystal Springs Pump Station Abandonment Project in the Amount of \$182,000.

Engineer Davis reviewed the staff report and asked for questions.

Councilmember Medina asked who would oversee cost report for each task. **Davis** said the project manager is Wing Wong who has been on this project since it started.

Councilmember Ruane introduced the resolution for adoption and passed with a unanimous vote.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Riechel, 7th Ave. asked about the status of the food vendors and if their wheels are being marked? Mayor Franzella said the ordinance is in effect and they are being tagged. He added one area, in front of Kaiser, is now a red zone and they can no longer park there.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

12. COMMENTS FROM COUNCIL MEMBERS:

Councilmember Medina asked if the City could discuss with the Pee Wee League engaging help to facilitate a successful Dale Wilson Memorial Tournament?

Vice Mayor O'Connell said San Bruno participated at the Memorial Services at the National Cemetery. She also reported Operation Clean Sweep was a huge success with over 180 volunteers participating.

13. CLOSED SESSION:

Mayor Franzella announced they would be going into closed session at the end of the meeting with no reportable items.

a. Closed Session to Receive Direction Regarding Property located at 425 Madison Avenue. (Gov't Code Section 54956.9(c)).

b. Closed Session to Receive Direction Regarding Property Located at 564-1st Avenue. (Gov't Code Section 54956.9 (a)).

14. ADJOURNMENT:

There being no further business to transact, the meeting concluded at 9:05 p.m. The next City Council Meeting will be held on June 10, 2008 at 7:00 p.m. at the City Hall, 567 El Camino Real, San Bruno, CA.

Respectfully submitted for approval
at the regular City Council Meeting of
June 10, 2008

Carol Bonner, City Clerk

Larry Franzella, Mayor